

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-106, § 1505(b)(1)(A), substituted “903(a)” for “903(3)” in concluding provisions.

Subsec. (c)(1). Pub. L. 104-106, § 1505(b)(1)(B), inserted “section” before “39(b)”.

Subsec. (d). Pub. L. 104-106, § 1505(b)(1)(C), substituted “(33 U.S.C. 918 and 921)” for “(33 U.S.C. 18 and 21, respectively)”.

1994—Subsec. (a). Pub. L. 103-337, § 1070(d)(8)(A)(i)(III), substituted “section 3(a) of such Act (33 U.S.C. 903(3)) which follows the second comma” for “section 903(a) of title 33 which follows the first comma” in second sentence.

Pub. L. 103-337, § 1070(d)(8)(A)(i)(I), (II), substituted “The Longshore and Harbor Workers’ Compensation Act (33 U.S.C. 901 et seq.)” for “Chapter 18 of title 33” and “section 2(2) of such Act (33 U.S.C. 902(2))” for “section 902(2) of title 33”, in introductory provisions.

Pub. L. 103-337, § 1061(c), inserted “, or to a volunteer providing such an instrumentality with services accepted under section 1588 of title 10,” after “described by section 2105(c) of this title” in introductory provisions.

Subsec. (b). Pub. L. 103-337, § 1070(d)(8)(A)(ii), substituted “section 2(4) of the Longshore and Harbor Workers’ Compensation Act (33 U.S.C. 902(4))” for “section 902(4) of title 33”.

Subsec. (c)(1). Pub. L. 103-337, § 1070(d)(8)(A)(iii), substituted “39(b) of the Longshore and Harbor Workers’ Compensation Act (33 U.S.C. 939(b))” for “section 939(b) of title 33”.

Subsec. (d). Pub. L. 103-337, § 1070(d)(8)(A)(iv), substituted “sections 18 and 21 of the Longshore and Harbor Workers’ Compensation Act (33 U.S.C. 18 and 21, respectively)” for “sections 918 and 921 of title 33”.

§ 8172. Employees not citizens or residents of the United States

In case of disability or death, resulting from injury, as defined by section 2(2) of the Longshore and Harbor Workers’ Compensation Act (33 U.S.C. 902(2)), occurring to an employee of a nonappropriated fund instrumentality described by section 2105(c) of this title who is—

- (1) not a citizen or permanent resident of the United States or a territory or possession of the United States; and
- (2) employed outside the continental United States;

compensation shall be provided in accordance with regulations prescribed by the Secretary of the military department concerned and approved by the Secretary of Defense or regulations prescribed by the Secretary of Transportation, as the case may be.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 556; Pub. L. 103-272, § 4(b)(3), July 5, 1994, 108 Stat. 1361; Pub. L. 103-337, div. A, title X, § 1070(d)(8)(B), Oct. 5, 1994, 108 Stat. 2859; Pub. L. 104-106, div. A, title XV, § 1505(b)(2), Feb. 10, 1996, 110 Stat. 514.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 150k-1(b).	July 18, 1958, Pub. L. 85-538, § 1 “Sec. 2(b)”, 72 Stat. 397.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

AMENDMENTS

1996—Pub. L. 104-106 substituted “(33 U.S.C. 902(2))” for “(33 U.S.C. 2(2))” in introductory provisions.

1994—Pub. L. 103-337 substituted “section 2(2) of the Longshore and Harbor Workers’ Compensation Act (33 U.S.C. 2(2))” for “section 902(2) of title 33” in introductory provisions.

Pub. L. 103-272 substituted “Secretary of Transportation” for “Secretary of the Treasury” in concluding provisions.

§ 8173. Liability under this subchapter exclusive

The liability of the United States or of a non-appropriated fund instrumentality described by section 2105(c) of this title, with respect to the disability or death resulting from injury, as defined by section 2(2) of the Longshore and Harbor Workers’ Compensation Act (33 U.S.C. 902(2)), of an employee referred to by sections 8171 and 8172 of this title, shall be determined as provided by this subchapter. This liability is exclusive and instead of all other liability of the United States or the instrumentality to the employee, his legal representative, spouse, dependents, next of kin, and any other person otherwise entitled to recover damages from the United States or the instrumentality because of the disability or death in a direct judicial proceeding, in a civil action, or in admiralty, or by an administrative or judicial proceeding under a workmen’s compensation statute or under a Federal tort liability statute.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 556; Pub. L. 103-337, div. A, title X, § 1070(d)(8)(B), Oct. 5, 1994, 108 Stat. 2859; Pub. L. 104-106, div. A, title XV, § 1505(b)(2), Feb. 10, 1996, 110 Stat. 514.)

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1994—Pub. L. 103-337 substituted “section 2(2) of the Longshore and Harbor Workers’ Compensation Act (33 U.S.C. 2(2))” for “section 902(2) of title 33”.

SUBCHAPTER III—LAW ENFORCEMENT OFFICERS NOT EMPLOYED BY THE UNITED STATES

§ 8191. Determination of eligibility

The benefits of this subchapter are available as provided in this subchapter to eligible law enforcement officers (referred to in this subchapter as “eligible officers”) and their survivors. For the purposes of this subchapter, an eligible officer is any person who is determined by the Secretary of Labor in his discretion to have been on any given occasion—

- (1) a law enforcement officer and to have been engaged on that occasion in the apprehension or attempted apprehension of any person—

(A) for the commission of a crime against the United States, or

(B) who at that time was sought by a law enforcement authority of the United States